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13 UNITED STATES DISTRICT COURT

14 DISTRICT OF NEVADA

15 MORGAN SPENCER KERN, an individual,

16 Plaintiff,

17 vs.

18 GEICO CASUALTY COMPANY, a foreign corporation; DOES I through X, inclusive and ROE BUSINESS ENTITIES I through X, inclusive,

19 Defendants.

CASE NO.: 2:21-cv-00737-RFB-BNW

20 **STIPULATION AND ORDER TO DISMISS WITHOUT PREJUDICE PLAINTIFF'S CAUSES OF ACTION FOR VIOLATION OF NEVADA UNFAIR CLAIMS PRACTICES ACT AND BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING**

21 IT IS HEREBY STIPULATED AND AGREED by and between Carl Houston of Ladah Law Firm, attorney for Plaintiff, MORGAN SPENCER KERN, and Thomas E. Winner and Lara L. Miller, of the law firm of Winner, Booze & Zarcone, attorneys for Defendant, GEICO CASUALTY COMPANY that Plaintiff's Complaint alleges causes of action for Breach of Contract, Violations of the Nevada Unfair Claims Practices Act, including punitive damages, and Breach of the Covenant of Good Faith and Fair Dealing, including punitive damages.

22 IT IS FURTHER STIPULATED AND AGREED THAT plaintiff will dismiss, without

1 prejudice, his causes of action for Violations of the Nevada Unfair Claims Practices Act,
2 including punitive damages, and Breach of the Covenant of Good Faith and Fair Dealing,
3 including punitive damages, as alleged in his Complaint.

4 DATED this 31st day of August, 2021.
5
6

7 WINNER BOOZE & ZARCONE
8

9 */s/Lara L. Miller*
10 Thomas E. Winner
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12 1117 South Rancho Drive
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13 DATED this 31st day of August, 2021.
14

15 LADAH LAW FIRM
16

17 */s/Carl R. Houston*
18 Carl R. Houston
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19 517 South Third Street
Las Vegas, Nevada 89101
Attorneys for Plaintiff

WINNER BOOZE & ZARCONE
A N E V A D A L A W F I R M

ORDER

Upon Stipulation by counsel for the parties, and good cause appearing therefore,
IT IS ORDERED THAT plaintiff's causes of action for Violations of the Nevada Unfair
Claims Practices Act, including punitive damages, and Breach of the Covenant of Good Faith
and Fair Dealing, including punitive damages, as alleged in his Complaint are dismissed without
prejudice.

DATED this 31st day of August , 2021.


RICHARD E. BOULWARE, II
United States District Court

Submitted by:

WINNER BOOZE & ZARCONE, LTD.

/s/Lara L. Miller
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